

# United States Bankruptcy Court

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

MAR 1 1993

For the NORTHERN District of IOWA

IN RE: DANIEL J. DECKER and  
NANCY A. DECKER, Debtors.

Chapter 7

BARBARA A. EVERLY, CLERK

Case No. 92-51310XS

NANCY A. DECKER,  
v.

Plaintiff

IOWA COLLEGE STUDENT  
AID COMMISSION,

~~Defendant~~

Counterclaimant.

Adversary Proceeding No. 92-5227XS

## JUDGMENT

- ☐ This proceeding having come on for trial or hearing before the court, the Honorable  
**WILLIAM L. EDMONDS**, United States Bankruptcy Judge, presiding, and  
the issues having been duly tried or heard and a decision having been rendered.

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[OR]

- ☒ The issues of this proceeding having been duly considered by the Honorable  
**WILLIAM L. EDMONDS**, United States Bankruptcy Judge, and a decision  
having been reached without trial or hearing,

### IT IS ORDERED AND ADJUDGED:

that the Complaint of plaintiff Nancy A. Decker against defendant  
Iowa College Student Aid Commission is dismissed.

IT IS FURTHER ORDERED AND ADJUDGED that Iowa College Student Aid  
Commission shall recover from Nancy A. Decker the sum of \$7,214.00  
plus interest at nine per cent per annum. No execution shall  
issue upon this judgment during the period which the plaintiff  
faithfully pays directly to the defendant Iowa College Student Aid  
Commission the sum of \$75.00 per month for six consecutive months  
commencing on the 1st day of June, 1993, (10-day grace period) and  
increasing thereafter to \$150.00 per month, commencing on December 1,  
1993, and continuing on the 1st of each month until the entire  
principal balance, all accrued interest and court costs have been  
paid in full. Proof of default by the plaintiff shall be made by  
the filing of an affidavit by the defendant Iowa College Student Aid  
Commission herein as to the defaults of the plaintiff, specifying  
them, and upon the filing of such an affidavit of default, execution  
may issue at any time, without further notice, upon the  
request of defendant.



[Seal of the U.S. Bankruptcy Court]

copies mailed with order  
on 3/1/93, *AS*

BARBARA A. EVERLY

Clerk of Bankruptcy Court

Date of issuance: 3-1-93

By

*Larry A. Hoyer*

Deputy Clerk

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

MAR 1 1993

BARBARA A. EVERLY, CLERK

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
Western Division

IN RE:

DANIEL J. DECKER, and  
NANCY A. DECKER,

Debtors.

NANCY A. DECKER f/k/a  
NANCY A. MALY,

Plaintiff,

v.

~~Iowa College Student G.A. Commission,~~  
~~IOWA STUDENT LOAN LIQUIDITY~~  
~~CORP., et al.,~~

Defendants. *Counterclaimant*

Bankruptcy No. ~~92~~-51310XS

Adversary No. 92-5227XS

ORDER ALLOWING DISMISSAL  
OF COMPLAINT AND GRANTING  
COUNTERCLAIM JUDGMENT


Notice Setting Telephonic Scheduling Conference was filed in this matter on December 21, 1992. Pursuant to this Notice, settlement discussions have been held between plaintiff and defendant Iowa College Student Aid Commission (ICSAC). Representing plaintiff was attorney Lester J. Gurdin. Representing defendant ICSAC was James S. Wisby, Assistant Attorney General.

As a result of those settlement discussions, counsel for plaintiff now requests permission to dismiss plaintiff's Complaint against defendant ICSAC. Counsel for defendant ICSAC has no objection to the dismissal.

IT IS THEREFORE ORDERED that the Complaint herein of plaintiff Nancy A. Decker against defendant ICSAC is dismissed.

IT IS FURTHER ORDERED that the judgment in favor of defendant ICSAC be entered against plaintiff Nancy A. Decker in the negotiated and compromised sum of \$7,214.00, plus interest at 9 percent per annum. No execution shall issue upon this judgment during the period which the plaintiff faithfully pays directly to the defendant ICSAC the sum of \$75.00 per month for six consecutive months commencing on the 1st day of June, 1993, <sup>628 1/19/93</sup> (10 day grace period), and increasing thereafter to \$150.00 per month, commencing on <sup>709 1/19/93</sup> December 1, 1993, and continuing on the 1st of each month until the entire principal balance, all accrued interest and court costs have been paid in full. Proof of default by the plaintiff shall be made by the filing of an affidavit by the defendant ICSAC herein as to the defaults of the plaintiff, specifying them, and upon the filing of such an affidavit of default, execution may issue at any time, without further notice, upon the request of defendant.

ORDERED: This <sup>1st</sup> ~~2nd~~ day of ~~January~~ <sup>MARCH</sup>, 1993. ms

  
\_\_\_\_\_  
William L. Edmonds, Chief Bankruptcy Judge

I certify that on 3-1-93 I mailed a copy of this order and a judgment by U. S. mail to: Lester Gurdin, James Wisby and U.S. Trustee. js

92-5227

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
Western Division

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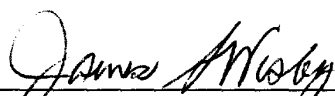
BARBARA A. EVERLY, CLERK

IN RE: \*  
\*  
NANCY A. DECKER f/k/a NANCY A MALY, \* Bankruptcy No. 92-51310XS  
\*  
Plaintiff, \* Adv. No. 92-5227XS  
\*  
vs. \* AFFIDAVIT OF  
\* PLAINTIFF'S DEFAULT  
IOWA COLLEGE STUDENT AID COMMISSION, \*  
\*  
Counterclaimant. \*

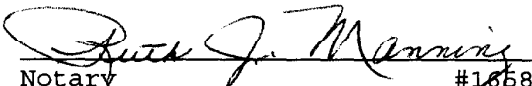
State of Iowa )  
                  ) ss.  
County of Polk )

I, James S. Wisby, Assistant Attorney General, hereby certify that plaintiff Nancy A. Decker has failed to pay in a timely manner amounts due under a Judgment entered against plaintiff in the above captioned action and filed in this cause. "Timely" is defined in the Stipulation. In accord with the terms of the Judgment, counterclaimant may now proceed with the collection of the full amount remaining due under the Judgment entered against plaintiff in this cause through execution, garnishment or other lawful means.

All of the statements herein made are true and correct as the undersigned affiant verily believes.

  
\_\_\_\_\_  
JAMES S. WISBY 481500753  
Assistant Attorney General  
Attorney for Counterclaimant

Subscribed and sworn to before me this 26th day of October, 1994.

  
\_\_\_\_\_  
Notary #185849

My Commission Expires: 7/20/95

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